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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,245	12/28/2000	Prosenjit Ghosh	042390.P10243	7480

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EXAMINER

CHANG, YEAN HSI

ART UNIT PAPER NUMBER

2835

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,245

Applicant(s)

GHOSH, PROSENJIT

Examiner

Yean-Hsi Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9-14,17,19,22,24,26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,9-14,17,19,22,24,26 and 28 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claims 1-4, 9-14 and 17 are objected to because of the following informalities:
Claim 1 claims a device enclosure and the other claims depending from claim 1, claim a device which lacks antecedent basis. Appropriate correction is required.
2. Claim 9 is objected to because of the following informalities: "the wall" in line 1 lacks antecedent basis; there are only "a top wall" and "a bottom wall" cited in claim 1. Appropriate correction is required.
3. Claim 28 is objected to because of the following informalities: "the skin" cited lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-3, 9-11, 14, 19, 22, 24, 26 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Bhatia (US 6,215,657 B1).

Bhatia teaches a device enclosure, or a system, or a computer chassis, comprising:

- A chassis (300, fig. 3B) including a top wall (300, fig. 3B) and an opposing bottom wall (an inherent portion of a computer enclosure, not shown) (claims 1, 19 and 24)
- A thermo-siphon device (302, fig. 3B) formed as an integral part of the top wall of the chassis, including a first heat pipe (302 on the left of 330, fig. 3B; see col. 3, line 32 for 330) and a second heat pipe (302 on the right of 330, fig. 3B), a vaporizing end (portion of 302 under 330, fig. 3B) of the first and second heat pipe coupled to a first plate (the portion of 308 under 330, fig. 3B), a condensing end (left end, fig. 3B) of the first heat pipe coupled to a second plate (left portion of 308, fig. 3B), and a condensing end (the right end, fig. 3B) of the second heat pipe coupled to a third plate (the right portion of 308) (also see col. 3, lines 16-45) (claims 1, 19, 24 and 28)
- Wherein the device enclosure is a notebook computer chassis (see col. 2, line 63 through col. 3, line 7) (claims 2, 3, 22 and 26)
- Wherein the wall is fabricated from a metallic material (see col. 3, lines 27-29) (claim 9)
- Wherein the thermo-siphon device is a heat pipe embedded in a cavity of the wall (see col. 7, lines 44-46) (claims 10 and 11)

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- Wherein the thermo-siphon device is exposed to a heat sink (see col.1, lines 65-67) (claim 14)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhtia in view of Li et al. (US 6,148,906).

Bhtia discloses the claimed invention except the wall of the chassis partially enclosing the thermo-siphon device and a portion of the thermo-siphon device being exposed to an interior of the enclosure.

Li teaches a chassis wall (at recess 96, not numbered, fig. 9) partially enclosing a thermo-siphon (90, fig. 9) and a portion (76, fig. 8) of the thermo-siphon device being exposed to an interior of the enclosure.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Bhtia with the thermo-siphon device taught by Li such that the thermo-siphon may be partially enclosed and have a portion exposed to an interior of the enclosure for purposes of making maintenance activities easier.

Allowable Subject Matter

8. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Bhatia (US 6,215,657 B1), Patel et al. (US 6,418,017 B1), Merced, III et al. (US 6,118,655), and Li et al. (US 6,148,906), taken alone or in combination, fails to teach or reasonably suggest a non-electronic device comprising an enclosure including a chassis having a top wall integrated with a thermosiphon device as set forth in claim 4.

Response to Arguments

10. Applicant's arguments with respect to claims 1, 19 and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
August 2, 2003



DARREN SCHUBERG
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